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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,735	07/24/2003	Jung-Wan Ko	1293.1059CIP2D6	8061
49455 7590 05/04/2007 STEIN, MCEWEN & BUI, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005			EXAMINER WENDMAGEGN, GIRUMSEW	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/625,735

Applicant(s)

KO ET AL.

Examiner

Girumsew Wendmagegn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/24/03;
11/20/03;7/21/04;5/9/2005;5/26/05;12/19/05;.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-6, and 10-21 is rejected under 35 U.S.C. 102(e) as being anticipated by Kajiyama et al (patent Number US 6,283,764).

Regarding claim 1, Kajiyama et al (hereinafter Kajiyama) anticipates a recording and/or reproducing apparatus for use with a storage medium comprising: a pickup unit to optically transfer audio data and catalog information between the storage medium and the apparatus (see figure 2 element 108); a buffer to store the catalog information (see figure 3 element 201); and a controller to control the pickup unit to read the catalog information from a first region of the storage medium, to buffer the read catalog information, and when the read catalog information is buffered, to read and decode the audio data and catalog playback information from a second region of the storage medium while reading and decoding the buffered catalog information from the buffer according to the read catalog playback information, wherein the first region is in an area

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of the storage medium other than the second region(see figure2 element 109 controller).

Regarding claim2, Kajiya anticipates the recording and/or reproducing apparatus of claim1, wherein the storage medium has an audio region for the audio data which includes an audio data recording region in which the audio data is recorded (see figure4 first session).

Regarding claim3, Kajiya anticipates the recording and/or reproducing apparatus of claim1, wherein the storage medium has an audio data recording region in which the audio data is recorded and an image information region in which the catalog information is recorded (see figure4 first and second session).

Regarding claim4, Kajiya anticipates the recording and/or reproducing apparatus of claim 1, wherein the controller further receives a selection of a user and reads the catalog information from the buffer according to the selection of the user (see column9 line48-63).

Regarding claim5, Kajiya anticipates the recording and/or reproducing apparatus of claim4, wherein the controller further preferentially reads the catalog information selected by the user, and otherwise read the catalog information satisfying a predetermined condition (see column6 line36-43).

Regarding claim6, Kajiyama anticipates the recording and/or reproducing apparatus of claim 5, wherein the predetermined condition is at least one of the user not making the selection of the catalog information for a predetermined amount of time, and setting a catalog auto presentation mode (see colum5 line48-56).

Regarding claim10, Kajiyama anticipates the recording and/or reproducing apparatus of claim1, wherein the catalog information includes a still picture for a background image, a sub-picture for a caption, and navigation information for controlling the still picture and the sub-picture, wherein the controller reads and decodes the still picture and the sub-picture from the buffer using the navigation information (see figure5 element 202).

Regarding claim11, Kajiyama anticipates the recording and/or reproducing apparatus of claim 10, wherein the catalog playback information includes information on a location of an image information region on the storage medium in which the still picture, sub-picture and navigation information are recorded (see column6 line65-column7 line1-6).

Regarding claim12, Kajiyama anticipates the recording and/or reproducing apparatus of claim 11, wherein the catalog playback information further includes a file identifier and an auto presentation information table determining a location of the catalog information to be played back corresponding to a predetermined time in

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accordance with real-time playback information of audio obtained from the audio data during real-time playing back (see column6 line65- column7 line1-6).

Regarding claim13, Kajiyama anticipates the recording and/or reproducing apparatus of claim12, wherein the controller reads the still picture and the sub-picture from the buffer according to a predetermined sequence stored in the audio presentation information table (see column6 line 40-43).

Regarding claim14, Kajiyama anticipates the recording and/or reproducing apparatus of claim 10, wherein the controller further receives a selection of a user, and reads the still picture and the sub-picture from the buffer according to the selection of the user (see column8 line57-column9 line1-3).

Regarding claim15, Kajiyama anticipates the recording and/or reproducing apparatus of claim14, wherein the controller further preferentially reads the still picture and the sub-picture selected by the user, and otherwise reads the still picture and the sub-picture satisfying a predetermined condition (see column5 line50-56).

Regarding claim16, Kajiyama anticipates the recording and/or reproducing apparatus of claim15, wherein the predetermined condition is at least one of the user not making the selection of the still picture and the sub-picture for a predetermined amount of time, and setting a catalog auto presentation mode (see column5 line50-56).

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Regarding claim 17, Kajiyama anticipates the recording and/or reproducing apparatus of claim 1, wherein the controller further reads from the second region the catalog playback information connecting the audio data and the buffered catalog information while reading the audio data from the second region, and reads and decodes the catalog information from the buffer based upon the read catalog playback information (see column 6 line 58-64).

Regarding claim 18, Kajiyama anticipates the recording and/or reproducing apparatus of claim 17, wherein: the catalog playback information comprises an auto presentation information table determining the catalog information to be played back corresponding to a predetermined time in accordance with the catalog playback information obtained from the audio data (see column 5 line 48-56 and column 6 line 58-64); and the controller reads the audio data from the storage medium and the catalog information from the buffer in accordance with the auto presentation information table (see column 12 line 61-66).

Regarding claim 19, Kajiyama anticipates the recording and/or reproducing apparatus of claim 18, wherein the catalog playback information comprises a file identifier and the auto presentation information table determines a location of the catalog information to be played back corresponding to a predetermined time in accordance with real-time playback information of audio obtained from the audio data during real-time playing back (see column 6 line 58-64).

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Regarding claim20, Kajiyama anticipates the recording and/or reproducing apparatus of claim 19, wherein the controller reads the catalog information from the buffer according to a predetermined sequence stored in the auto presentation information table (see column6 line 58-64).

Regarding claim21, Kajiyama anticipates a recording and/or reproducing apparatus which transfers encoded audio data with respect to a first region on a storage medium, comprising: a pickup unit to optically transfer audio data with respect to the first region and catalog information with respect to a second region of the storage medium other than the first region (see figure2 element 108); a buffer to store the catalog information (see figure3 element 201); and a controller to control the pickup unit to read the audio data and catalog playback information from the first region of the storage medium while the catalog information is read from the buffer according to the read catalog playback information (see figure2 element 109 controller).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim7-9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kajiyama et al (Patent Number US 6,283,764) as applied to claim1-6, and 10-21 above, and further in view of Kawamura et al (Patent Number US 6,198,877)

Regarding claim7, see the teaching of Kajiyama above. Kajiyama does not teach the catalog information includes common catalog data for information commonly applied for the entire audio data recorded on the storage medium. However Kawamura et al teaches catalog information includes common catalog data for information commonly applied for the entire audio data recorded on the storage medium(see column4 line 10-11).

One of ordinary skill in the art at the time the invention was made would have been motivated to include common catalog data for information commonly applied for the entire audio data recorded on the storage medium as in Kawamura et al in to Kajiyama because it would allow the user to identify the disk (see Kawamura column4 line 10-11)

Regarding claim8, the recording and/or reproducing apparatus of claim7, wherein the catalog playback information further includes a file identifier and an auto presentation information table determining a location of the catalog information to be played back corresponding to a predetermined time in accordance with real-time playback information of audio obtained from the audio data during real-time playing back (see column6 line 58-67).

Regarding claim9, Kajiyama teaches the controller reads according to a predetermined sequence stored in the auto presentation information table (see column6 line 58-64) but does not teach common catalog. However Kawamura teaches common catalog (see column4 line 10-11).

One of ordinary skill in the art at the time the invention was made would have been motivated to include common catalog data for information commonly applied for the entire audio data recorded on the storage medium as in Kawamura et al in to Kajiyama because it would allow the user to identify the disk (see Kawamura column4)

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alr Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thai Tran

Supervisory Patent Examiner

Girumsew Wendmagegn